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In re Patent No. 7,112,339 Issued: September 26, 2006 Application No. 10/069,145 Filed: February 22, 2002 Atty. Dkt. No.: TUR-125

: OFFICE OF PETITIONS
: DECISION ON APPLICATION FOR
: PTA and NOTICE OF INTENT
: TO ISSUE CERTIFICATE OF
: CORRECTION

This decision is in response to the "REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT PURSUANT TO 37 C.F.R. § 1.705(d)," filed November 6, 2006.

The request for reconsideration of patent term adjustment is **GRANTED**.

The above-identified application matured into U.S. Patent No. 7,112,339 on September 26, 2006. The instant request for reconsideration was timely filed November 6, 2006 in accordance with 37 C.F.R. § 1.705(d). The patent issued with a PTA of 16 days. Applicants argue that the correct adjustment is 124 days.

A review of the application history reveals that an overall adjustment of 185 days can be attributed to the Office¹. The adjustment is reduced a total of 61 days for applicants' failure to engage in reasonable efforts to conclude prosecution².

In view thereof, the patent is entitled to an adjustment of 124 days as argued by patentees.

 $^{^1}$ An adjustment of 126 days can be attributed to the Office in accordance with 37 CFR 1.702(a)(1) and 1.703(a)(1) in connection with the non-final Office action mailed August 26, 2003. A further adjustment of 59 days can be attributed to the Office in accordance with 37 CFR 1.702(a)(4) and 1.703(a)(6) in connection with failure to issue the patent within four months of receipt of the issue fee payment.

 $^{^2}$ The adjustment is reduced 31 days in accordance with 37 CFR 1.704(b) in connection with the RCE filed June 4, 2004. The adjustment is further reduced 30 days in accordance with 37 CFR 1.704(b) in connection with the RCE filed July 7, 2005.

Receipt is hereby acknowledged of the required \$200.00 patent term adjustment application fee.

This application file will be forwarded to the Certificate of Corrections branch for issuance of a certificate of correction to indicate that the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 124 days.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

Kery Fries

Senior Legal Advisor

Office of Patent Legal Administration

Office of Deputy Commissioner

for Patent Examination Policy

CC: Draft Certificate of Correction

Day : Thursday

Date: 5/3/2007 Time: 14:46:20

PALM INTRANET

PTA Calculations for Application: 10/069145						
Application Filing Date: 02/22/2002	PTO Delay (PTO):	126				
Issue Date of Patent: 09/26/2006	Three Years:	0				
Pre-Issue Petitions: 0	Applicant Delay (APPL):	110				
Post-Issue Petitions: 0	Total PTA (days):	124				
PTO Delay Adjustment: 108						

		File Contents History	, 		
Number	Date	Contents Description	PTO	APPL	START
74	05/03/2007	ADJUSTMENT OF PTA CALCULATION BY PTO	108		
70	09/26/2006	PATENT ISSUE DATE USED IN PTA CALCULATION			
69	07/13/2006	EXPORT TO FINAL DATA CAPTURE			
68	07/12/2006	DISPATCH TO FDC			
67	06/30/2006	APPLICATION IS CONSIDERED READY FOR ISSUE			
66	06/29/2006	PETITION TO REVIVE APPLICATION - GRANTED			
65	06/19/2006	PETITION ENTERED			
64	06/19/2006	ISSUE FEE PAYMENT VERIFIED		49	57
63	06/29/2006	WITHDRAW PUBLICATION/PRE-EXAM ABANDON			·
62	06/19/2006	ISSUE FEE PAYMENT RECEIVED			
61	06/13/2006	MAIL ABANDONMENT FOR FAILURE TO PAY ISSUE FEE			
60	06/13/2006	ABANDONMENT FOR FAILURE TO PAY ISSUE FEE			
59	04/27/2006	FINISHED INITIAL DATA CAPTURE			
58	02/06/2006	EXPORT TO INITIAL DATA CAPTURE			
57	02/01/2006	MAIL NOTICE OF ALLOWANCE			
56	02/01/2006	MAIL EXAMINER'S AMENDMENT			
55		ISSUE REVISION COMPLETED			
54	01/26/2006	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
53	01/26/2006	IFW TSS PROCESSING BY TECH CENTER COMPLETE		*	
52	01/23/2006	EXAMINER'S AMENDMENT COMMUNICATION			
	1]]	

51	101/23/2006	NOTICE OF ALLOWABILITY		
50		DATE FORWARDED TO EXAMINER		
49		RESPONSE AFTER NON-FINAL ACTION		
48		MAIL NON-FINAL REJECTION		
47		NON-FINAL REJECTION		
46	07/15/2005	DATE FORWARDED TO EXAMINER		
45	07/07/2005	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE		
44	07/15/2005	DATE FORWARDED TO EXAMINER		
43		REQUEST FOR CONTINUED EXAMINATION (RCE)	30	39
42		DISPOSAL FOR A RCE/CPA/129 (EXPRESS ABANDONMENT IF CPA)		
41	07/07/2005	REQUEST FOR EXTENSION OF TIME - GRANTED		
40	07/07/2005	WORKFLOW - REQUEST FOR RCE - BEGIN		
39	03/07/2005	MAIL FINAL REJECTION (PTOL - 326)		
38	03/04/2005	FINAL REJECTION		
37	12/13/2004	CORRESPONDENCE ADDRESS CHANGE		
36	11/27/2004	DATE FORWARDED TO EXAMINER		
35	11/17/2004	RESPONSE AFTER NON-FINAL ACTION		
34	08/26/2004	MAIL NON-FINAL REJECTION	,	
33	08/23/2004	NON-FINAL REJECTION		
32	07/13/2004	CASE DOCKETED TO EXAMINER IN GAU		
31	06/16/2004	DATE FORWARDED TO EXAMINER		
30	06/04/2004	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE		
29	06/16/2004	DATE FORWARDED TO EXAMINER		
28	06/04/2004	REQUEST FOR CONTINUED EXAMINATION (RCE)	31	15
27	06/16/2004	(ABANDONMENT IF CPA)		
26	06/04/2004	REQUEST FOR EXTENSION OF TIME - GRANTED		
25	06/04/2004	WORKFLOW INCOMING AMENDMENT IFW		
24	06/04/2004	WORKFLOW - REQUEST FOR RCE - BEGIN		
23	06/06/2004	CASE DOCKETED TO EXAMINER IN GAU		
22	05/19/2004	MAIL ADVISORY ACTION (PTOL - 303)		
21	05/17/2004	ADVISORY ACTION (PTOL-303)		

20	05/10/2004	DATE FORWARDED TO EXAMINER		
19	05/04/2004	AMENDMENT AFTER FINAL REJECTION		
18	02/22/2002	REQUEST FOR FOREIGN PRIORITY (PRIORITY PAPERS MAY BE INCLUDED)		
17	02/22/2002	OATH OR DECLARATION FILED (INCLUDING SUPPLEMENTAL)		
16	05/04/2004	WORKFLOW INCOMING AMENDMENT IFW		
15	02/04/2004	MAIL FINAL REJECTION (PTOL - 326)		
14	02/03/2004	FINAL REJECTION		
13	12/22/2003	IFW AMENDED CASE PROCESSING COMPLETE		
12	12/22/2003	DATE FORWARDED TO EXAMINER		
11	11/26/2003	RESPONSE AFTER NON-FINAL ACTION		
10	08/26/2003	MAIL NON-FINAL REJECTION	126	-1
9	08/25/2003	NON-FINAL REJECTION		
		CASE DOCKETED TO EXAMINER IN GAU		
7	05/08/2002	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
6	07/30/2002	CASE DOCKETED TO EXAMINER IN GAU		
5	02/22/2002	PRELIMINARY AMENDMENT		
4	07/24/2002	APPLICATION DISPATCHED FROM OIPE		
3	07/22/2002	IFW SCAN & PACR AUTO SECURITY REVIEW		
2	07/10/2002	NOTICE OF DO/EO ACCEPTANCE MAILED		
1	02/22/2002	INITIAL EXAM TEAM NN		

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT

7,112,339 B1

DATED

September 26, 2006

INVENTOR(S):

Ahola, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 16 days

Delete the phrase "by 16 days" and insert - by 124 days--